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PATENT  
ATTORNEY DOCKET NO.: 46884-5254

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Atsunori TSUJI et al.

Application No.: 10/719,062

Filed: November 24, 2003

For: METHOD OF INTRODUCING A  
SUBSTANCE INTO A PLANT TISSUE

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)  
) Confirmation No.: 9116  
)  
) Group Art Unit: 1655  
)  
) Examiner: Susan B. McCormick-Ewoldt  
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Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, MAIL STOP AMENDMENT  
Alexandria, VA 22314

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated October 20, 2005.

2. Additional papers enclosed:

- ☐ Submission of Replacement Drawing Sheets
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_ references included
- ☐ Certified Copy of Priority Document
- ☐ Change of Correspondence Address
- ☐ Submission of Revocation of Original Power of Attorney and Grant of New Power of Attorney.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$120.00.**

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	8	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$200 each =	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Enclosed is Check No. \_\_\_\_\_ in the amount of **\$120.00** (One-Month Extension of Time Fee).
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of \_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: February 21, 2006

By: 

Suzanne E. Ziska, Esq.

Reg. No. 43,317

**Customer No. 55694****DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202) 842-8465